

**Notice of Allowability**

Application No.

09/807,019

Applicant(s)

LEUNG ET AL.

Examiner

Art Unit

Dominic D. Saltarelli

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 18 June 2001.
2. ☒ The allowed claim(s) is/are 1-25.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted: Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 4/5/01
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
HAITRAN  
PRIMARY EXAMINER

***Allowable Subject Matter***

1. Claims 1-25 are allowed.
2. The following is an examiner's statement of reasons for allowance:

Regarding claim 1, neither Casement et al. (5,969,748) [Casement], Ward, III et al. (US 2002/0013941 A1) [Ward] or Kwoh et al. (5,382,983) [Kwoh], taken alone or in combination disclose, teach, or suggest the specific claimed limitations of "monitoring timing between successive VSynchs of a video signal from the cable box to the television tuner; if the timing between successive VSynchs is not detected within the first timing window, recognizing an unauthorized channel change" used in combination with all other limitations of independent claim 1, described in applicant's specification, particularly on page 3, lines 18-30 and page 11, lines 14-21, which describe detecting a "VSync disturbance" which indicates a channel change operation, was not found in the relevant prior art.

Regarding claim 8, neither Casement, Ward, or Kwoh, taken alone or in combination disclose, teach, or suggest the specific claimed limitation of "means for monitoring timing between successive VSync signals", used in combination with all other limitations of independent claim 8, described in applicant's specification, particularly on page 3, lines 18-30 and page 11, lines 14-21, which describe detecting a "VSync disturbance" which

indicates a channel change operation, was not found in the relevant prior art.

Regarding claim 15, neither Casement, Ward, or Kwoh, taken alone or in combination disclose, teach, or suggest the claimed limitations of “monitoring timing between successive VSynchs of a video signal from the cable box to the television receiver; comparing the monitored VSynchs timing to a predetermined value to determine whether an unauthorized channel change has taken place”, used in combination with all other limitations of independent claim 15, described in applicant’s specification, particularly on page 3, lines 18-30 and page 11, lines 14-21, which describe detecting a “VSync disturbance” which indicates a channel change operation relative to a set timing window, was not found in the relevant prior art.

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Regarding claim 19, neither Casement, Ward, or Kwoh, taken alone or in combination disclose, teach, or suggest the claimed limitation of “means for comparing the monitored VSynchs timing to a predetermined value to determine whether an unauthorized channel change has taken place”, used in combination with all other limitations of independent claim 19, described in applicant’s specification, particularly on page 3, lines 18-30 and page 11, lines 14-21, which describe detecting a “VSync

disturbance” which indicates a channel change operation relative to a set timing window, was not found in the relevant prior art.

Regarding claim 22, neither Casement, Ward, or Kwoh, taken alone or in combination disclose, teach, or suggest the claimed limitations of “monitoring timing between successive VSynchs of a video signal from a first channel from the cable box to the television receiver; responsive to the monitored timing, recognizing an unauthorized channel change”, used in combination with all other limitations of independent claim 22, described in applicant’s specification, particularly on page 3, lines 18-30 and page 11, lines 14-21, which describe detecting a “VSync disturbance” which indicates a channel change operation, was not found in the relevant prior art.

Regarding claim 23, neither Casement, Ward, or Kwoh, taken alone or in combination disclose, teach, or suggest the claimed limitations of “a controller for monitoring timing between successive VSynchs of a video signal for a first channel from the cable box to the television tuner; responsive to the monitored timing, means for tuning the cable box to a second channel”, used in combination with all other limitations of independent claim 1, described in applicant’s specification, particularly on page 3, lines 24-36 and page 11 line 14 – page 12 line 10, which describe

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detecting a "VSynch disturbance" which indicates a channel change operation relative to a set timing window, wherein detection of the disturbance outside of the window indicates an unauthorized channel change and initiates a change to a second channel, was not found in the relevant prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dominic D. Saltarelli whose telephone number is (571) 272-7302. The examiner can normally be reached on Monday - Friday 7:00am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on (571) 272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



**HAITRAN  
PRIMARY EXAMINER**

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dominic Saltarelli  
Patent Examiner  
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